

REMARKS

Applicants thank the Examiner for reconsidering and withdrawing the lack of unity rejection.

Applicants respectfully request entry of the amendments and remarks submitted herein. Claims 1, 3, 5, 7-16, 18, 19, 21, and 24-28 have been amended herein. Claims 1-3 and 5-33 are currently pending. Reconsideration of the pending application is respectfully requested.

The Double Patenting Rejections

Claims 1-3, 5, 6, 10-12, 14-17, and 19-23 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 27, 28, 30, 32, 34, 44, 45, 48-51, 54-58 of co-pending Application No. 10/333,395.

Without acquiescing to the Examiner's rejection and to expedite prosecution, Applicants submit herewith a Terminal Disclaimer. The enclosed Terminal Disclaimer disclaims the terminal portion of the term of any patent granted from this application with respect to pending U.S. Application No. 10/333,395. The enclosed Terminal Disclaimer complies with 37 CFR §1.321. In view of the attached Terminal Disclaimer, Applicants respectfully request that the obviousness-type double patenting rejections of claims 1-3, 5, 6, 10-12, 14-17, and 19-23 be withdrawn.

The 35 U.S.C. §112 Rejections

Claims 1-3 and 5-33 stand rejected under 35 U.S.C. §112, second paragraph, as the Examiner asserted that those claims are indefinite for failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention. The Examiner asserted that claim 1 is indefinite because there is no nexus between the preamble and the claim steps. The Examiner further asserted that all claims are indefinite in view of the reference numbers.

Applicants have amended claim 1 to recite that the purpose of the method had been attained. Applicants also have amended the claims to remove the reference numbers. In view of

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the amendments and remarks herein, Applicants respectfully request that the rejection of claims 1-3 and 5-33 under 35 U.S.C. §112, second paragraph, be withdrawn.

CONCLUSION

Applicants earnestly solicit a Notice of Allowance for claims 1-3 and 5-33. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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